

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MARK DRURY,)	
)	
Plaintiff,)	
v.)	08 C 15
)	
OFFICER BARNEY #11095,)	Honorable Judge KENDALL
OFFICER FITZGERALD #5084,)	
OFFICER FRAPOLLY #198,)	Magistrate Judge COLE
and the CITY OF CHICAGO,)	
)	Jury Demand
Defendants.)	

**DEFENDANTS' AGREED MOTION FOR EXTENSION OF TIME
TO ANSWER OR OTHERWISE PLEAD TO PLAINTIFF'S COMPLAINT**

Defendants, Jason Barney, Michael Fitzgerald, William Frapolly, and the City of Chicago ("Defendants"), by one of their attorneys, Anne K. Preston, Assistant Corporation Counsel, respectfully request that this Honorable Court extend the time, up to and including March 10, 2008, to answer or otherwise plead to Plaintiff's Complaint. In support of this motion, Defendants state as follows:

1. Plaintiff filed his Complaint on January 2, 2008. The Summons and Complaint were served upon Defendant Officer Fitzgerald on January 18, 2008, and upon Defendant Officers Barney and Frapolly on January 19, 2008.
2. The undersigned filed an appearance for the Defendants on February 14, 2008.
3. Defendants' Answer or other responsive pleadings are due on or about February 7, 2008

4. Defendants' attorneys have not been able to review materials pertinent to the allegations in this case.
5. This motion is Defendants' first request for an extension of time to answer or otherwise plead. Such a request will not unduly delay the resolution of the disputed issues.
6. Plaintiff's attorney has no objection to Defendants' motion for an extension of time to answer or otherwise plead to Plaintiff's Complaint.

WHEREFORE, Defendants, Jason Barney, Michael Fitzgerald, William Frapolly, and the City of Chicago, respectfully request that this Honorable Court grant an extension, up to and including, March 10, 2008 to answer or otherwise plead to Plaintiff's Complaint.

Respectfully submitted,

BY: /s/ Anne K. Preston
ANNE K. PRESTON
Assistant Corporation Counsel

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Suite 1400
Chicago, Illinois 60602
(312) 742-4045
Atty. No. 6287125

CERTIFICATE OF SERVICE

I, Anne K. Preston, hereby certify that I have caused a true and correct copy of the above and foregoing **NOTICE OF MOTION** and **DEFENDANTS' AGREED MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD TO PLAINTIFF'S COMPLAINT**, to be sent via e-filing to the persons named in the foregoing Notice, "Filing Users" pursuant to Case Management/Electronic Case Files, on February 14, 2008, in accordance with the rules on electronic filing of documents.

/s/ Anne K. Preston
ANNE K. PRESTON
Assistant Corporation Counsel